

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 1504 be amended to read as follows:

- 1 Page 3, after line 31 , begin a new paragraph and insert:
- 2 "SECTION 6. IC 36-8-3-3, AS AMENDED BY P.L.35-1999,
- 3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2001]: Sec. 3. (a) A majority of the members of the safety
- 5 board constitutes a quorum. The board shall adopt rules concerning the
- 6 time of holding regular and special meetings and of giving notice of
- 7 them. The board shall elect one (1) of its members chairman, who
- 8 holds the position as long as prescribed by the rules of the board. The
- 9 board shall record all of its proceedings.
- 10 (b) The members of the safety board may act only as a board. No
- 11 member may bind the board or the city except by resolution entered in
- 12 the records of the board authorizing him to act in its behalf as its
- 13 authorized agent.
- 14 (c) The safety board shall appoint:
- 15 (1) the members and other employees of the police department
- 16 other than those in an upper level policymaking position;
- 17 (2) the members and other employees of the fire department other
- 18 than those in an upper level policymaking position;
- 19 (3) a market master; and
- 20 (4) other officials that are necessary for public safety purposes.
- 21 (d) The annual compensation of all members of the police and fire
- 22 departments and other appointees shall be fixed by ordinance of the
- 23 legislative body before:
- 24 (1) August 20 for a second class city; and
- 25 (2) September 20 for a third class city;
- 26 of each year for the ensuing budget year. The ordinance may grade the
- 27 members of the departments and regulate their pay by rank as well as
- 28 by length of service. If the legislative body fails to adopt an ordinance
- 29 fixing the compensation of members of the police or fire department,
- 30 the safety board may fix their compensation, subject to change by
- 31 ordinance.
- 32 (e) The safety board, subject to ordinance, may also fix the number

1 of members of the police and fire departments and the number of
2 appointees for other purposes and may, subject to law, adopt rules for
3 the appointment of members of the departments and for their
4 government.

5 (f) The safety board shall divide the city into police precincts and
6 fire districts.

7 (g) The police chief has exclusive control of the police department,
8 and the fire chief has exclusive control of the fire department, subject
9 to the rules and orders of the safety board. In time of emergency, the
10 police chief and the fire chief are, for the time being, subordinate to the
11 city executive and shall obey his orders and directions, notwithstanding
12 any law or rule to the contrary."

(Reference is to EHB 1504 as printed March 23, 2001.)

Senator SKILLMAN